

DJF:MJB

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOHN TC YEH,</b>	:	<b>NO. 3:18-CV-00943</b>
<b>Plaintiff,</b>	:	
	:	<b>(Munley, J.)</b>
<b>v.</b>	:	<b>(Carlson, M.J.)</b>
	:	
<b>UNITED STATES BUREAU OF</b>	:	
<b>PRISONS; HUGH J. HURWITZ,</b>	:	
<b>Director of the BOP; J. RAY</b>	:	
<b>ORMOND, Regional Director of</b>	:	
<b>The BOP, Northeast Region; :</b>	:	
<b>SCOTT FINLEY, Warden of</b>	:	
<b>FCI Schuylkill,</b>	:	
<b>Defendants.</b>	:	<b>Filed Electronically</b>

**MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendants United States Bureau of Prisons (BOP), Hugh J. Hurwitz, Acting Director of the BOP, J. Ray Ormond, NE Regional Director, and Scott Finley, Warden of Federal Correctional Institutional in Schuylkill, Pennsylvania (FCI Schuylkill)<sup>1</sup> hereby move for judgment on the pleadings, seeking judgment in their favor. Plaintiff John TC Yeh does not concur in this motion. A brief in support of this motion will be filed in accordance with Local Rule 7.5.

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<sup>1</sup> Plaintiff initially named Mark S. Inch, Michael Carval, and J.E. Krueger as defendants in this case. These officials do not currently hold the positions of Director, Northeast Regional Director, and Warden, respectively. Pursuant to Rule 25 of the Federal Rules of Civil Procedure, a public official's successor automatically is substituted as a party when the public official is named in his or her official capacity. Fed. R. Civ. P. 25(d). The Clerk should make this notation on the docket.

WHEREFORE, this Court should grant Defendants' motion for judgment on the pleadings.

Respectfully submitted,

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Date: February 5, 2019

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOHN TC YEH,</b>	:	<b>NO. 3:18-CV-00943</b>
<b>Plaintiff,</b>	:	
	:	<b>(Munley, J.)</b>
<b>v.</b>	:	<b>(Carlson, M.J.)</b>
	:	
<b>UNITED STATES BUREAU OF</b>	:	
<b>PRISONS, et al.,</b>	:	
<b>Defendants.</b>	:	<b>Filed Electronically</b>

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on February 5, 2019, he served a copy of the attached

**MOTION FOR JUDGMENT ON THE PLEADINGS**

by ECF

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/s Michael J. Butler  
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